

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Law Offices of Peter E. Zimnis :  
1245 Whitehorse-Mercerville Road :  
Suite 412 :  
Trenton, New Jersey 08619 :  
Attorney for Debtor :  
Case No.23-13245 :  
  
In re: : Judge: Michael B. Kaplan  
DONNA MILLER-CARROLL :  
Debtor : Chapter 13  
: :  
: :  
: :

**CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO**

**CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**  
 **TRUSTEE'S MOTION OR CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following

**(choose one)**

1.  Motion for Relief from Automatic Stay filed by **DEUTSCHE BANK**, creditor,

A hearing has been scheduled for **August 23, 2023**, at **9:00 a.m.**

**OR**

Motion to dismiss filed by the Standing Chapter 13 Trustee

A hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_ m.

Certification of Default filed by \_\_\_\_\_, creditor,

I am requesting a hearing be scheduled on this matter.

***OR***

Certification of Default filed by Standing Chapter 13 Trustee

I am requesting a hearing on this matter.

2. I am objecting to the above for the following reasons (**choose one**)

Payments have been made in the amount of \$ \_\_\_\_\_, but have not been accounted for. Documentation in support is attached hereto

Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other (**explain your answer**) The motion fails to state a cause of action and must be denied. In addition, prospective is not an appropriate remedy in this case. The motion fails to state the reason the second case was dismissed because of missing tax returns. During this second case and on this case, the debtor was on a wage order and the trustee was paid timely directly from her employer.  
\_\_\_\_\_

3. This certification is being made in an effort to resolve the issues raised by **DEUTSCHE BANK**, the creditor in its motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: \_\_\_\_\_

/s/ Donna Miller-Carroll

Debtor's Signature

Date: \_\_\_\_\_

Debtor's Signature

**NOTE**

1. This form must be filed with the court and served upon the standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1 (d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an order resolving motion to vacate stay and /or dismiss with conditions) or a Trustee's Certification of Default.

**If this form is not filed the Motion or Certification of Default will be deemed uncontested and no hearing will be scheduled**